

REMARKS

In the Office Action, claims 1, 6, 7 and 9-14 were rejected under 35 U.S.C. §102(b) as being anticipated by Shapiro et al. (U.S. Pat. Pub. No. 2003/0021450). Claims 1, 6-15 and 17-22 were rejected under 35 U.S.C. §102(b) as being anticipated by Neukermans et al. (U.S. Pat. No. 6,122,394). Claims 32-39 were rejected under 35 U.S.C. §102(b) as being anticipated by Fujii (U.S. Pat. Pub. No. 2001/0031075). Claims 2-4 were rejected under 35 U.S.C. §103(a) as being unpatentable over Shapiro et al. in view of Haddad (U.S. Pat. Pub. No. 2004/0041998). Claim 16 was rejected under 35 U.S.C. §102(b) as being anticipated by Neukermans et al. Claims 23-31 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

In response to the informalities noted by the Examiner, claims 3, 4, 6, 19, 20, 22, 23, 33 and 37 have been cancelled, claims 1, 2, 5, 7-18, 21, 24-32, 34-36, 38 and 39 have been amended, and new claim 40 has been added. Accordingly, in view of the indication of the allowability of claims 23-31, it is respectfully submitted that claim 40, which includes the allowable subject matter of claim 23, and the claims dependent therefrom are now in condition for allowance.

The formulation in Shapiro et al. in which reflecting surface 530 may be any reflector which is coated in order to reflect light, does not lead one of ordinary skill

in the art automatically to a solution as is disclosed in amended claim 1. There an annular reflector is described having a conical or cone-like designed surface. This reflector is also shown in Fig. 1 of the present patent application.

Haddad only shows a concavely designed mirror which shows a ring section at best. An annular mirror into which, for example, the finger which has to be recognized is introduced in order to record at least a circumference of the finger from nail to nail, is not shown either in the citation to Haddad so that, because of the formulation that any mirror may be used, in Shapiro in combination with Haddad planar or curved mirrors at best can be seen as disclosed. The use of an annular mirror does not result to one of ordinary skill in the art from these two citations as is now defined in amended claim 1.

Neukermans et al. also does not show such an object as now claimed in amended claim 1. Rather, in all of its figures, only (a) mirror slab(s) designed more or less planar is shown.

The subject matter of original claims 23 to 31 has been presented as claim 40 and 24 to 31, respectively. In view of the indication of the allowability of claim 23, claim 40 and the claims dependent therefrom should be allowable.

With respect to the method according to claim 32, the entire disclosure by Fujii deals only with a recording of planar, or plane surface images of finger prints which

are combined and compared with each other. A recording of finger lines as they are generated, for example by combining cylinder-shaped recordings or recording of the circumference of the finger, is not disclosed in Fujii. Claim 32 has been amended to define the steps of recording first and second cylinder-shaped partial surfaces of a body region. Accordingly, claim 32 is distinguished over the art of record.

Based on the foregoing amendments and remarks, it is respectfully submitted that the claims in the present application, as they now stand, patentably distinguish over the references cited and applied by the Examiner and are, therefore, in condition for allowance. A Notice of Allowance is in order, and such favorable action and reconsideration are respectfully requested.

However, if after reviewing the above amendments and remarks, the Examiner has any questions or comments, he is cordially invited to contact the undersigned attorneys.

Respectfully submitted,

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